

California Tahoe Conservancy  
Agenda Item 8a  
May 19, 2011

**AL TAHOE EROSION CONTROL PROJECT 2**

**Summary:** Staff recommends authorization of a site improvement grant of up to \$1,675,000 to the City of South Lake Tahoe for the Al Tahoe Erosion Control Project 2.

**Location:** The Al Tahoe Erosion Control Project 2 is located on the South Shore of Lake Tahoe, in the City of South Lake Tahoe, west of U.S. Highway 50. The project area is bordered by Tallac Avenue to the south, Lakeview Avenue and Lake Tahoe to the north, Berkeley Avenue to the west, and Oakland Avenue to the east (Attachment 1).

**Fiscal Summary:** Up to \$1,675,000 from State sources, including Propositions 12, 40, 50, and 84.

**Recommended Action:** Adopt Resolution 11-05-02 (Attachment 2) authorizing a site improvement grant of up to \$1,675,000 to the City of South Lake Tahoe for the Al Tahoe Erosion Control Project 2, making the necessary environmental findings, and authorizing staff to enter into standard agreements and take all other necessary steps, subject to the provisions and conditions discussed in the accompanying staff report and attachments.

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**Background**

The Al Tahoe Erosion Control Project (ECP) 2 (Project) area encompasses more than 45 acres of dense residential development in central South Lake Tahoe (Attachment 1). The Environmental Improvement Program (EIP) lists the project as EIP Project Number 696. In 2007, the City of South Lake Tahoe (City) completed an analysis of existing conditions that identified erosion control needs and prioritized treatment areas. The City subsequently contracted with a consulting team to complete planning and design documents. For planning and implementation purposes, the original Al Tahoe ECP was split into Projects 1 and 2, addressing different portions of the neighborhood. Primary concerns in the project areas are bare, compacted, and eroding road shoulders

arising from parking on the narrow residential streets that transport fine sediment and other pollutants to Lake Tahoe (Lake).

The Al Tahoe ECP 1 completed construction in October 2010. In February 2011, the Al Tahoe ECP 1 received the Tahoe Regional Planning Agency's Best in the Basin Award for an Erosion Control Project as an outstanding innovation in environmental streetscape. The Al Tahoe ECP 1 won this award for its unique road shoulder infiltration designs that allow for seasonal parking and for the installation of an advanced stormwater quality treatment filter that treats stormwater prior to entering the Lake. Residents in the Al Tahoe ECP 1 area are very pleased with the function and appearance of the water quality improvements installed to date. This Project follows the same designs as Project 1. The U.S. Forest Service Lake Tahoe Basin Management Unit (LTBMU) has funded the planning and design of this Project to date.

In July 2006, the California Tahoe Conservancy (Conservancy) Board authorized the release of the Soil Erosion Control Grants Program Announcement and Guidelines for funding the 2006-2007 grants program. The Announcement and Guidelines requested applications from the local jurisdictions for their highest-priority erosion control projects that are both on the EIP project list and consistent with the Conservancy's evaluation criteria, which focus on the efficient reduction of fine sediment particles to protect the Lake water quality. The Sierra Tract ECP was the City's highest-priority project at the time.

Because of California Environmental Quality Act (CEQA) concerns with the Sierra Tract ECP, the Board did not consider it for funding during Fiscal Year 2006-2007. The bond freeze enacted on December 17, 2008 by the State Pooled Money Investment Board further postponed the request for authorization to award an Erosion Control Program grant to the Sierra Tract ECP. However, the City successfully addressed the CEQA concerns and received federal funding for the implementation of phases of the Sierra Tract ECP from the American Recovery and Reinvestment Act (ARRA). The Sierra Tract ECP Phase 1b completed construction in the fall of 2010 using the ARRA funds.

The City reapplied for the Erosion Control Program funds from previous Conservancy grant cycles that were originally earmarked for the Sierra Tract ECP. Conservancy Erosion Control Program staff evaluated the City's Al Tahoe ECP 2 application and determined that it is the highest-priority City EIP project at this time.

## **Project Description**

Currently, stormwater runoff from streets and adjacent road shoulders in the Project area discharges directly into Lake Tahoe without any treatment. Stormwater runoff transports pollution containing fine sediment and nutrients that have detrimental effects on the Lake's water clarity. The Project will stabilize and protect eroding roadway shoulders, increase infiltration, and convey stormwater runoff to an advanced treatment filter prior to discharging into the Lake. Project design utilizes road shoulder infiltration pads that allow for parking during the summer months while reducing stormwater flows to the Lake. Attachment 3 shows the proposed improvements.

## **Project Budget**

To date, a total of \$775,000 in planning funds have come from the LTBMU Erosion Control Grants Program for Project Areas 1 and 2. The Al Tahoe ECP 1 completed construction in 2010 with LTBMU and ARRA funds. Site improvement funding for Project 1 totaled \$2,919,000. The engineer's estimate for construction, administration, management, and monitoring for this Project is \$2,300,000. The City received \$800,000 from the LTBMU for the construction of the Project and is requesting \$1,675,000 in funding from the Conservancy for project implementation. This request would provide the City with \$175,000 for contingency in the event bids come in higher than expected.

The Conservancy funding comes from remaining jurisdictional allocations from the 2006-2007 and 2007-2008 rounds of the Soil Erosion Control Program Grants Authorization.

The Conservancy has State Treasurer's Office (STO) approval to spend available Proposition 84 funding on new Water Quality/Stormwater grants to multiple local jurisdictions. The Conservancy also has STO approval for the same purpose under Proposition 50. The Conservancy plans to fund this project from these Proposition 50 and 84 sources. The Conservancy also has cash allocated from Propositions 12 and 40 for use on this Project if necessary.

The budget for the Conservancy grant follows:

| <b><u>Activity</u></b> | <b><u>Amount</u></b> |
|------------------------|----------------------|
| Administration         | \$ 5,000             |
| Construction           | 1,650,000            |
| Monitoring             | <u>20,000</u>        |
| <b>TOTAL</b>           | <b>\$1,675,000</b>   |

## **Project Implementation**

If the Board authorizes funding for the Project, the standard agreements entered into by the Conservancy and the individual grantees will govern the Project implementation. As in recent agreements, the new site improvement grant will provide for an advance up to 90% for design, administration, and construction.

The project budgets and schedules are preliminary, and final project design may alter the need for acquisition of certain parcels or the allocation of funds between major budget categories. However, such changes will not exceed the total amount awarded in the grant. Any remaining funds for site improvement projects will be used, if necessary, to extend improvements to adjoining areas.

## **Project Schedule**

| <b><u>Task</u></b>                         | <b><u>Completion Date</u></b> |
|--|-------------------------------|
| Environmental Documents                    | February 2011                 |
| Permits                                    | February 2011                 |
| Final Construction Plans and Design Report | February 2011                 |
| Advertise and Award Contract               | May 2011                      |
| Project Construction                       | October 2011                  |
| Post Project Monitoring                    | October 2013                  |

## **Project Evaluation**

The Project's design used the current Pollutant Load Reduction Modeling tools to identify the pollutant sources in the Project area and the best economically feasible designs to address the problems

The Al Tahoe ECP 1 installed three alternatives for road shoulder treatment: porous asphalt, porous concrete, and porous paver stones. Based on the performance of these alternatives over the last winter, the Technical Advisory Committee (TAC) will make a recommendation to the City for the preferred road shoulder treatment for this Project. The recommendation will also consider the alternatives' cost effectiveness and maintainability. City staff and consultant, Wood Rodgers, also investigated the cost benefits of the potential designs of the stormwater treatment filter and presented their results to the TAC. The TAC and City agreed that a double vault design with treatment filters separated for low and high flows would provide a high level of treatment with relatively low maintenance costs.

## **Consistency with the Conservancy's Enabling Legislation**

Implementation of the Soil Erosion Control Grants Program and this Project is consistent with the Conservancy's enabling legislation. Specifically, Government Code Sections 66905.2 and 66907.7 authorize the Conservancy to award grants to local public agencies, state agencies, federal agencies, federally-recognized Indian tribes, the Tahoe Transportation District, and nonprofit organizations for purposes consistent with its mission which includes soil erosion control projects.

## **Compliance with the California Environmental Quality Act (CEQA)**

The City of South Lake Tahoe, acting as the Lead Agency, prepared an Initial Study (IS) and Negative Declaration (ND) for this Project to comply with CEQA. The City adopted the ND on February 10, 2011, and filed a Notice of Determination (NOD) with the State Clearinghouse on February 17, 2011.

A copy of the IS and ND have been provided to the Board on an attached CD and are available for public review at the Conservancy office, 1061 Third Street, South Lake Tahoe, California 96150 (Attachment 4).

Staff has reviewed the ND and believes that the improvements proposed have been adequately analyzed in the document. Staff has determined that the Project, as proposed, would not cause a significant effect on the environment. Since completion of the ND, there is no new information, substantial changes to the proposed Project, or changes to project implementation that would involve any new significant effects which did not receive analysis in the ND.

Staff recommends the Board review the ND and make the findings as set forth in the attached resolution. If the Board adopts the ND and authorizes the Project, staff will file an NOD with the State Clearinghouse pursuant to State CEQA Guidelines (California Code of Regulations, Title 14, § 15000 et seq.), Section 15096. Attachment 5 contains the Conservancy's proposed NOD.

### **List of Attachments:**

Attachment 1 – Al Tahoe Erosion Control Project 2, Project Area Map

Attachment 2 – Resolution 11-05-02

Attachment 3 – Al Tahoe Erosion Control Project 2 Proposed Improvements

Attachment 4 – Al Tahoe Erosion Control Project 2 City of South Lake Tahoe Initial Study and Negative Declaration (Attached CD)

Attachment 5 – Notice of Determination

**Conservancy Staff Contact:**

Mark Sedlock

Phone: (530) 543-6048

E-mail: [msedlock@tahoe.ca.gov](mailto:msedlock@tahoe.ca.gov)

**Attachment 1**  
**Al Tahoe Erosion Control Project 2, Project Area**



## **ATTACHMENT 2**

California Tahoe Conservancy

Resolution

11-05-02

Adopted: May 19, 2011

### **AL TAHOE EROSION CONTROL PROJECT 2**

Staff recommends the California Tahoe Conservancy make the following finding based on the accompanying staff report pursuant to Public Resources Code Section 21000 et seq.:

“The Conservancy has considered the environmental impacts of the proposed Al Tahoe Erosion Control Project 2 (Project) as described in City of South Lake Tahoe’s Initial Study/Negative Declaration (IS/ND) and related documents, certified on February 10, 2011.

The Conservancy has reviewed the IS/ND and related documents and finds that the improvements proposed have been adequately analyzed in the IS/ND. The Conservancy finds that no substantial changes are proposed in the Project, and no substantial changes have occurred with respect to the circumstances under which the Project is undertaken that would involve any new significant environmental effects or significantly increase the severity of any previously-identified impacts. The Conservancy hereby directs staff to file a Notice of Determination with the State Clearinghouse for this Project.”

Staff further recommends that the Conservancy adopt the following resolution pursuant to Government Code Sections 66905.2 and 66907.7:

“The Conservancy hereby authorizes up to \$1,675,000 for a site improvement grant to the City of South Lake Tahoe for the Al Tahoe Erosion Control Project 2 and authorizes staff to enter into standard agreements and take all other necessary steps, subject to the provisions and conditions discussed in the accompanying staff report and attachments.



The award of this site improvement grant and disbursement of funds is conditioned upon a commitment, by resolution and through execution of standard agreements, by individual grantees to undertake the Project in a manner consistent with the purposes and scopes of the grants, to monitor the effectiveness of the Project, and to manage and maintain the Project for the 20-year term of the grants.”

I hereby certify that the foregoing is a true and correct copy of the resolution duly and regularly adopted by the California Tahoe Conservancy at a meeting thereof held on the 19th day of May 2011.

IN WITNESS THEREOF, I have hereunto set my hand this 19th day of May 2011.

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Patrick Wright  
Executive Director

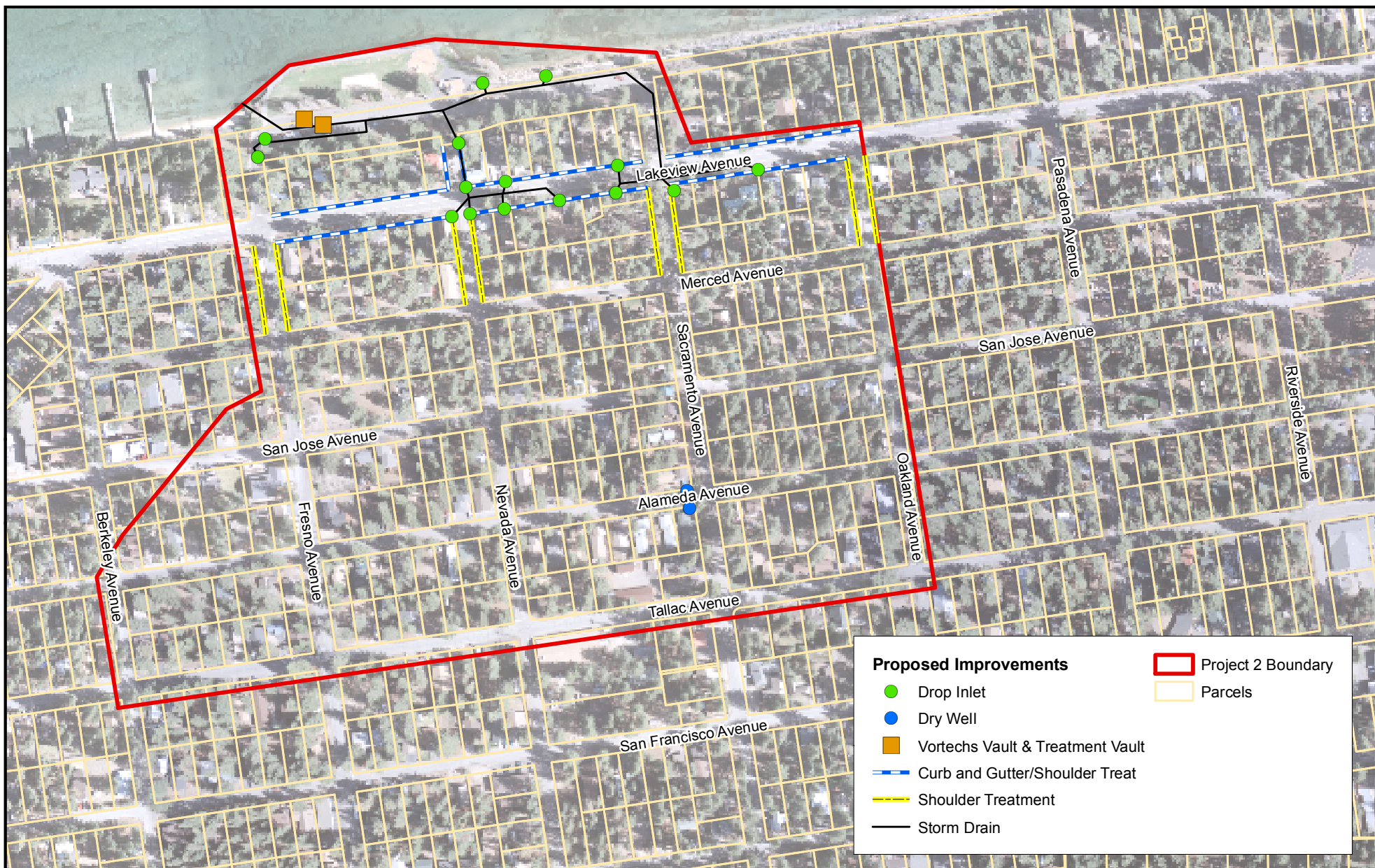
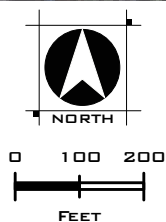


FIGURE 3-1: PROJECT ELEMENTS  
 AL TAHOE ECP- PROJECT 2  
 NEGATIVE DECLARATION  
 SOUTH LAKE TAHOE, CA  
 OCTOBER, 2010



**ATTACHMENT 4**

**AL TAHOE EROSION CONTROL PROJECT 2**

City of South Lake Tahoe  
Initial Study  
Mitigated Negative Declaration

Attached CD

## ATTACHMENT 5

### NOTICE OF DETERMINATION

TO: Office of Planning and Research  
1400 10<sup>th</sup> Street, Room 121  
Sacramento, CA 95814

FROM: California Tahoe Conservancy  
1061 Third Street  
South Lake Tahoe, CA 96150

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***Subject:***

Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code

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***Project Title:***

Al Tahoe Erosion Control Project 2

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***State Clearinghouse Number:***

2010122083

***Contact Person:***

Mark Sedlock

***Telephone Number:***

(530) 543-6048

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***Project Location:***

The Al Tahoe Erosion Control Project 2 is located on the South Shore of Lake Tahoe, in the City of South Lake Tahoe, west of U.S. Highway 50. The project area borders Tallac Avenue to the south, Lakeview Avenue and Lake Tahoe to the north, Berkeley Avenue to the west, and Oakland Avenue to the east.

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***Project Description:***

The project proposes to construct and maintain stormwater facilities and implement erosion control practices as identified in the Lake Tahoe Environmental Improvement Program.

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This is to advise that the California Tahoe Conservancy, acting as a responsible agency, has approved the above described project on May 19, 2011 and has made the following determinations regarding the above described project:

1. The project will not have a significant effect on the environment.
2. A Negative Declaration (ND) for the project was prepared and approved by the City of South Lake Tahoe on February 10, 2011, and a Notice of Determination (NOD) was filed on February 17, 2011. The ND, NOD, and record of project approval may be examined at The City of South Lake Tahoe, 1052 Tata Lane, South Lake Tahoe, California 96150. The California Tahoe Conservancy previously reviewed and considered the ND that was prepared by the City of South Lake Tahoe prior to the project approval.
3. The Conservancy finds that no substantial changes are proposed in the project, and no substantial changes have occurred with respect to the circumstances under which the project is taken that would affect any potentially significant environmental effects.

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Fish and Game Fees: N/A; City of South Lake Tahoe paid fee February 17, 2011.

***Date Received for Filing:***

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Patrick Wright  
Executive Director